

ASSEMBLY BILL 2195

Sponsor- County Welfare Directors Association of California
Co-Sponsor- Legal Advocates for Permanent Parenting

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ISSUE

Ideally, a foster child should not be moved from one caregiver to another. These children should be placed as early as possible with caregivers who will provide permanent homes should reunification efforts fail. Yet, despite the best planning, unexpected events can disrupt otherwise stable placements.

When the existing caregiver is suddenly unavailable, counties must move quickly to find another home for the child – preferably with a relative or non-related extended family member, in the least restrictive and most family-like setting possible. Placement with a known relative or extended family member can significantly ease the trauma that foster children experience when their placements are unexpectedly disrupted.

EXISTING LAW

Current law provides for emergency placements with relatives and extended family members as long as they meet the following requirements in order to ensure child health and safety:

- Criminal records clearances using CLETS and CACI;
- In-home inspection
- Assessment of caregiver's ability to parent; and,

- Provision of caregiver training orientation and personal rights assurances.

Recently, the existing law has been interpreted as allowing counties to make emergency placements with relatives or non-related extended family members only at the very beginning of a child's placement into foster care. If a sudden need arises and the child must be quickly moved to a new placement later on, emergency placement is not being allowed.

THIS BILL

AB 2195 recognizes that emergencies can and do occur throughout a child's juvenile court dependency. This bill clarifies existing law to allow the use of emergency placements *throughout* a child's stay in foster care. The four health and safety checks listed above would be required for all emergency placements, both at the beginning of a case and during the case. Immediately upon placement of the child with the relative or non-relative extended family member on an emergency basis, the county would be required to complete the full approval process in order for the child to remain in the home on an ongoing basis.

SUMMARY

Summarily, AB 2195:

- clarifies existing law to allow emergency placements *throughout* a child's stay in foster care;
- requires health and safety checks of emergency placements at both the beginning and during the case;
- Requires counties to exercise the full approval process in order for the child to remain in the home on an ongoing basis; and,
- Creates a workshop where the task is to create a brochure explaining the roles and responsibilities of child welfare system participants to distribute during caregiver orientation, training, and on the Department's public website.

FOR MORE INFORMATION

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